

### **REMARKS**

Applicant respectfully requests that the amendments to the claims be entered at least because they do not present any new issues requiring further search and consideration, and because they narrow the issues for appeal.

Claims 1-3 and 9 are currently being amended.

This amendment changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-9 are now pending in this application.

#### **Information Disclosure Statement**

Applicant submitted an Information Disclosure Statement ("IDS") on March 7, 2002 in the present application with accompanying Form PTO-1449 listing documents also submitted with the IDS. Applicant again respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of the Form PTO-1449 be returned in accordance with MPEP §609.

#### **Allowable subject matter**

Applicant appreciates the indication that claims 6 and 7 contain allowable subject matter. Applicant has not amended claims 6 and 7 to be in independent form at this time, because, for the reasons given below, applicant believes that claim 1, from which claims 6 and 7 ultimately depend, is patentable.

#### **Rejection under 35 U.S.C. § 102**

Claims 1-5 and 8 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,234,558 to Curtindale (hereafter "Curtindale"). Applicant respectfully traverses this rejection for at least the following reasons.

Independent claim 1 is directed to a room lamp for a vehicle. The room lamp as recited includes both a plurality of first engagement hooks and a plurality of second engagement hooks protruded from a lamp main body. The plurality of first engagement hooks are configured to respectively engage with a plurality of first engaged sections of a roof trim of the room lamp to fix the lamp main body to the roof trim. The plurality of second engagement hooks are configured to respectively elastically engage with a plurality of second engaged sections in a roof panel to fix the lamp main body fixed to the roof trim to the roof panel. As is clear for the room lamp as recited in claim 1, the first engagement hooks are other than the second engagement hooks, and the roof panel is other than a roof trim. Thus, in claim 1, the lamp has separate first and second engagement hooks protruding from the lamp main body, where the first engagement hooks are for fixing the lamp main body to the roof trim and the second engagement hooks are for fixing the lamp main body that has been fixed to the roof trim to a roof panel of the vehicle. Curtindale does not disclose this feature of the room lamp for a vehicle as recited in claim 1, as discussed below.

Curtindale discloses an interior trim attachment apparatus for a vehicle (see title). Curtindale discloses one embodiment as illustrated in Fig. 13 that includes a lamp 301 (see col. 4, line 61 to col. 5, line 7). This embodiment includes a bezel 303 and lamp 301 combination. The bezel and lamp combination are secured to a fastener 307 via flanges 311 on the fastener that respectively engage dog houses 309 of the bezel. The fastener also includes three snap legs 313 which engage with a panel 315, which may be a metal body panel, door trim panel, etc. As best understood, according to the rejection, it appears that the bezel 303 and lamp 301 combination correspond to the lamp main body, and the panel 315 corresponds to the roof panel of claim 1.

In contrast to present claim 1, the Curtindale device does not include a plurality of separate first and second engagement hooks protruding from the lamp main body, where the first engagement hooks are for fixing the lamp main body to a roof trim and the second engagement hooks are for fixing the lamp main body that has been fixed to the roof trim to a roof panel of the vehicle. The Office Action calls element 121 of Curtindale both an engagement hook and an elastic engagement hook (corresponding to the first and second engagement hooks of the claims as amended), and thus appears to equate the snap legs 121

with both the plurality of first engagement hooks and the plurality of second engagement hooks as recited in claim 1. The snap legs 313 (or the snap legs of any of the other embodiments disclosed in the Figures of Curtindale), however, cannot correspond to both the plurality of first engagement hooks and the plurality of second engagement hooks of claim 1. Claim 1 requires both a plurality of first engagement hooks and a plurality of second engagement hooks, where the second engagement hooks are separate from the first engagement hooks. Curtindale discloses only three snap legs 313, so no matter how the snap legs are divided between first engagement hooks and second engagement hooks, there cannot be a plurality of both.

Curtindale further lacks the recited feature of claim 1 where the first engagement hooks are for fixing the lamp main body to a roof trim and the second engagement hooks are for fixing the lamp main body that has been fixed to the roof trim to a roof panel of the vehicle. The snap legs 313 of Curtindale (which the Office Action equates with both the first engagement hooks and second engagement hooks of claim 1) retain the bezel 303 and lamp 301 in the panel 315, but do not also fix the bezel 303 and lamp 301 to a roof trim other than the panel. Even if the snap legs 313 can be interpreted as fixing the lamp 301 to the panel 315, they do not also function to fix the lamp 301 to a separate roof trim. Thus, Curtindale fails to disclose first engagement hooks that are for fixing the lamp main body to a roof trim and second engagement hooks that are for fixing the lamp main body that has been fixed to the roof trim to a roof panel of the vehicle.

Accordingly, for at least the reasons given above, applicant respectfully submits that claim 1 is patentable over Curtindale.

Independent claim 9 includes features similar, though not identical, to claim 1. Claim 9 recites :

A vehicular room lamp for use in a vehicle, comprising:

a lamp main body;

a first plurality of engagement hooks protruded from said lamp main body; and

a second plurality of engagement hooks protruded from said lamp main body, said second plurality of engagement hooks being elastic;

wherein said first plurality of engagement hooks are configured to respectively engage with a first plurality of engaged sections formed in a vehicle roof trim, whereby said lamp main body is temporarily fixed to said roof trim,

wherein said second plurality of said engagement hooks are configured to respectively elastically engage with a second plurality of engaged sections formed in a mounting panel positioned in a vehicle roof, whereby said lamp main body that has been temporarily fixed to said roof trim is fully fixed to said mounting panel,

wherein each of said second plurality of said engagement hooks comprises an inclined engagement surface that engages with said second plurality of engaged sections of said mounting panel in a manner that said inclined engagement surface is inclined with respect to said mounting panel.

Nevertheless, for at least the same reasons as claim 1, applicants submit that independent claim 9 is patentable over Curtindale.

Claims 2-8 ultimately depend from claim 1 and are patentable for at least the same reasons as claim 1, and for further patentable features recited therein. For example, claim 3 recites a “drop-out preventing piece, brought into contact with said lamp main body at a time when said inclined engagement surface is elastically engaged with the engaged section of said roof panel, is formed in said free end section of each of said elastic engagement hooks.” The snap legs 313 of Curtindale do not include the drop-out preventing piece as recited in claim 3, at least because the snap hooks do not come into contact with a lamp main body when the snap hooks engage the trim.

For at least the reasons given above, applicant respectfully requests that the rejection of the claims under 35 U.S.C. § 102 be withdrawn.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date October 28, 2003

By Thomas G. Bilodeau

FOLEY & LARDNER  
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 945-6162  
Facsimile: (202) 672-5399

Pavan K. Agarwal  
Attorney for Applicant  
Registration No. 40,888

Thomas G. Bilodeau  
Attorney for Applicant  
Registration No. 43,438